

REF ID: A6584

CLASSIFIED

CONFIDENTIAL

SECRET

OFFICIAL ROUTING SLIP

NAME AND ADDRESS

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INITIALS

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Remarks:

Are we exempt? 2

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78-5761

THE WHITE HOUSE
WASHINGTON

June 9, 1978

Req

MEMORANDUM FOR THE HEADS OF
DEPARTMENTS AND AGENCIES

OLC #78-2045

SUBJECT: "The Government in the Sunshine" Act:
Implementation

The Government in the Sunshine Act requires certain Executive agencies to give notice of their business meetings and open them to public observation unless they must be closed for any of ten specific reasons. If the agency finds that the public interest requires, it must open its meeting to public observation even if there is a reason to close it. The same reasons which permit Executive agencies to close their meetings also permit advisory committees to close theirs.

To evaluate compliance with this Act, I have asked the Director of the Office of Management and Budget to record the number of meetings subject to the Act, to note whether those meetings are open or closed, and if closed, to state the reason for closing them. He will pass this information along to me and to the Congress, recommending whatever actions may be appropriate to meet the spirit as well as the letter of the law.

In litigation under the Act, the Attorney General and the affected agencies must not defend the closing of any meeting unless they can demonstrate that harm would have resulted if an open meeting had been held.

I urge the agencies covered by the Sunshine Act to respect it by opening to the public as many meetings as possible.

